

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

STEPHEN TURNER, ROCHELLE
TURNER and THE CINCINATTI
INSURANCE COMPANY,

Plaintiffs,

vs.

MOEN STEEL ERECTION, INC.,
A Nebraska Corporation,

Defendant/Third-Party Plaintiff,

vs.

ENTERPRISE PRECAST CONCRETE,
INC., AGA CONSULTING, INC., CITY
OF OMAHA AND ZENON,
BERINGER, MABREY PARTNERS,
INC., n/k/a BERINGER, CIACCIO,
DENNELL, MABREY, INC.

Third-Party Defendants.

CASE NO. 8:06CV227

ORDER OF DISMISSAL

This matter is before the Court on the Stipulation for Dismissal with Prejudice (Filing No. 237). The claims of the Plaintiffs, Stephen Turner, Rochelle Turner, and The Cincinnati Insurance Company, were previously dismissed with prejudice. (Filing No. 202). The Stipulation for Dismissal with Prejudice resolves all other claims in this action, including all claims brought by the Third-Party Plaintiffs and the counterclaim brought by the City of Omaha. The Court finds that the stipulation satisfies the requirements of Fed. R. Civ. P. 41(a)(1)(ii), and should be approved. Accordingly,

IT IS ORDERED:

1. The Stipulation for Dismissal with Prejudice between the Plaintiffs Stephen Turner, Rochelle Turner, and The Cincinnati Insurance Company, and the Defendant Moen Steel Erection, Inc. (Filing No. 200) is approved;
2. This action, and all claims including third-party claims and counterclaims, are dismissed with prejudice; and

3. The parties will pay their own costs and attorney fees unless otherwise agreed in writing by and between them.

Dated this 18th day of December, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge